

REMARKS

The Office Action of September 30, 2004 has been reviewed and the Examiner's comments carefully considered. The present Amendment amends claims 1 and 6, and adds claims 33-38, all in accordance with the originally-filed specification. No new matter has been added. Further, the present Amendment cancels claims 9 and 13-32. Accordingly, claims 1-8, 10-12 and 33-38 remain in this application.

The Examiner is thanked for indicating that the subject matter of claims 9-12 defines over the prior art of record. In particular, the Examiner indicates that claims 9-12 are objected to as being dependent upon a rejected base claim, but these claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Initially, the Examiner has objected to the disclosure for various informalities. In particular, the Examiner notes that the grouping of figures, namely Figs. 4-9, is improper, and each figure must be separately listed by number under the appropriate heading. The specification has been appropriately modified to address the Examiner's objections. In addition, each figure has been separately identified and discussed in the appropriate portion of the specification. Accordingly, withdrawal of these objections is respectfully requested.

Next, the Examiner objects to claim 13 under 37 C.F.R. § 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. In particular, the Examiner believes that claim 13 is interpreted as an apparatus claim, and cannot appropriately depend from method claim 1. Claim 13 has been cancelled by the foregoing amendment. Accordingly, withdrawal of this objection is respectfully requested.

Claim 6 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly out and distinctly claim the subject matter which Applicants

regard as the invention. Specifically, in claim 6, the Examiner believes that it is unclear as to what the term "square face" refers, as the facing step relates to two conduit portions. Applicants have amended claim 6 to make it more clear. Claim 6 has been amended to discuss the relative positioning of the faces of each conduit portion, and the relative positioning of these faces with respect to a conduit portion centerline. Accordingly, claim 6 now addresses the face of each conduit portion. Withdrawal of the Section 112 rejection of claim 6 is respectfully requested.

Claims 1, 7, 8 and 32 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,507,119 to Spencer. Further, claims 13-18 and 32 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,241,157 to Wermelinger et al. (hereinafter "the Wermelinger patent"). Claims 2 and 3 stand rejected under 35 U.S.C. § 103(a) as being obvious over the Spencer patent in view of U.S. Patent No. 4,390,384 to Turner. Finally, claims 4-6 and 19-31 stand rejected under 35 U.S.C. § 103(a) as being obvious over the Wermelinger patent. In view of the foregoing amendments and the following remarks, withdrawal of these rejections is respectfully requested.

The Spencer patent is directed to a sterile docking process, apparatus and system. In addition, the Spencer patent discusses a process for joining two closed-end tubes or conduits using a hot stream of fluid, while maintaining system sterility. The Wermelinger patent is directed to an arrangement for butt-welding plastic material components. In particular, two chucking devices hold the plastic components in coaxial positions relative to each other, and a heating device heats the ends of the components without contact. Further, the heating device includes a heating element that can be swung between the two chucking devices and provides contactless heating of the components. Finally, the Turner patent is directed to a method and apparatus for bonding thermoplastic materials. It appears that the Examiner uses the Turner patent for its discussion of removing the burrs or bulbous ends that are formed during a molding

step. After the edges are made molten, and the pipes are pressed together, rounded beads are formed at the weld. It is these rounded beads or burrs that are removed to assist in preventing weld failure.

As discussed above, the Examiner agrees that the subject matter of claims 9-12 are distinguishable from and define over the prior art of record, including the Spencer patent, the Wermelinger patent and the Turner patent. Accordingly, the limitations of dependent claim 9 have been added to the subject matter of independent claim 1, and dependent claim 9 has been cancelled. Therefore, independent claim 1 is now in allowable form. Further, the dependency of dependent claim 10 has been modified from claim 9 to newly-modified independent claim 1. Claims 2-8, 11 and 12 depend either directly or indirectly from and add further limitations to independent claim 1. Therefore, these claims are allowable for the reasons discussed hereinabove in connection with amended independent claim 1.

New claims 33-38 have been added by the foregoing amendment. All of these claims depend either directly or indirectly from and add further limitations to independent claim 1, as amended, and therefore are in allowable form for the reasons discussed hereinabove in connection with independent claim 1. Specifically, new claim 33 is directed to the automatic control feature; new claim 34 is directed to the receiving and processing of data signals; new claim 35 is directed to maintaining the temperature during the melting step; new claim 36 is directed to the multiple heat zones; claim 37 is directed to controlling the temperature of these heat zones; and claim 38 is directed to measuring a physical characteristic during the method steps. Again, no new matter has been added, and all of these claims have complete support in the specification as originally filed.

For the foregoing reasons, independent claim 1, as amended, is not anticipated by or rendered obvious over the Spencer patent, the Wermelinger patent, the Turner patent, or any

Application No. 10/788,921
Paper Dated: February 28, 2005
In Reply to USPTO Correspondence of September 30, 2004
Attorney Docket No. 4326-032044

of the prior art of record, whether used alone or in combination. There is no hint or suggestion in any of the references cited by the Examiner to combine these references in a manner which would render the invention, as claimed, obvious. Reconsideration of the rejection of independent claim 1 is respectfully requested.

Claims 2-8, 10-12, and 33-38 depend either directly or indirectly from and add further limitations to independent claim 1 and are believed to be allowable for the reasons discussed hereinabove in connection with independent claim 1. Therefore, for all of the above reasons, reconsideration of the rejections of claims 2-8 and allowance of claims 2-8, 10-12 and 33-38 is respectfully requested.

For all the foregoing reasons, Applicants believe that claims 1-8, 10-12 and 33-38, as amended and added, are patentable over the cited prior art and in condition for allowance. Reconsideration of the rejections and allowance of all pending claims 1-8, 10-12 and 33-38 are respectfully requested.

Respectfully submitted,

WEBB ZIESENHEIM LOGSDON
ORKIN & HANSON, P.C.

By 

Nathan J. Prepelka
Registration No. 43,016
Attorney for Applicants
700 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219-1818
Telephone: (412) 471-8815
Facsimile: (412) 471-4094
E-mail: webblaw@webblaw.com